

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

MOMPATI MARUPING,

Plaintiff,  
vs.

Civil Action No. 1:17-cv-11929

ENHANCED RECOVERY  
COMPANY, LLC,

Defendant.

**NOTICE OF REMOVAL TO FEDERAL COURT**

Defendant, Enhanced Recovery Company, LLC (“ERC”), by and through its undersigned counsel and, pursuant to 28 U.S.C. § 1446, hereby files its Notice of Removal of this action from the Trial Court of the Commonwealth of Massachusetts, to the United States District Court for the District of Massachusetts, and shows the Court as follows:

1. On August 10, 2017, Plaintiff, Mompati Maruping (“Plaintiff”), filed a civil action in the Trial Court of the Commonwealth, Boston District Court, styled *Mompati Maruping vs. Enhanced Recovery Company, LLC*, Civil No. 1705CV000187.

2. On September 6, 2017, a copy of the Complaint was served on ERC’s registered agent located in Wilmington, Delaware. This Notice of Removal is being filed within thirty days of Defendant’s receipt through service of Plaintiff’s Complaint and, therefore, under 28 U.S.C. § 1446(b)(1), this Notice of Removal is timely and proper.

3. Additionally, pursuant to 28 U.S.C. § 1446(a), true and legible copies of all process, pleadings, orders, and other papers or exhibits of every kind on file in the state and known to have been served by, or upon ERC, are attached hereto as composite Exhibit “A.” Defendants are not aware of any further proceeding in the above-described civil action.

4. This Court possesses original jurisdiction over this matter pursuant to 28 U.S.C. § 1331, as this civil action involves a federal question.

5. Plaintiff alleges that ERC violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (the “FDCPA”), by attempting to collect a debt from the Plaintiff despite the account being settled, and attempting to deceptively recover additional money from Plaintiff. The FDCPA is a law of the United States and, therefore, pursuant to 28 U.S.C. § 1441(a), this claim is removable to this Court.

6. Defendant will promptly file the Notice of Filing Notice of Removal attached hereto as Exhibit “B,”<sup>1</sup> with a copy of this Notice of Removal, in the Office of the Clerk of the Trial Court of the Commonwealth of Massachusetts. Defendant will also promptly provide a written copy of the Notice of Removal to Plaintiff.

7. Defendant has complied with all conditions precedent to the removal of this action.

WHEREFORE, Defendant, Enhanced Recovery Company, LLC, respectfully gives notice that the above-described civil action now pending in the Trial Court of the Commonwealth, Boston Municipal Court Department, East Boston Division, is removed therefrom to this Court.

Dated: October 6, 2017

Respectfully Submitted,

/s/ Sean T.C. Phelan

Sean T.C. Phelan (BBO# 674078)  
Smith, Gambrell & Russell LLP  
1055 Thomas Jefferson St NW  
Suite 400

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<sup>1</sup> The exhibit to the Notice of Filing Notice of Removal, consisting of this Notice of Removal, has been omitted from Exhibit A.

Washington, DC 20007  
Tel.: (202) 263-4339  
Fax: (202) 263-4329  
sphelan@sgrlaw.com

**CERTIFICATE OF SERVICE**

I certify that on October 6, 2017, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system and have served a true and correct copy on the person below via electronic mail and First Class Mail:

Elizabeth Shealy, Esq.  
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/s/ Sean T.C. Phelan  
Attorney